



**Applied Behavior Analysis Advisory Committee  
Regular Meeting Minutes  
June 17, 2022**

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**Committee members present:** Nancy Rosenberg, Chair, Ph.D., LBA, BCBA-D  
Ralph Pampino, Jr., BCBA, LBA  
Andrea Elderkin, Public Member

**Committee members absent:** Mimi Dasgupta, Vice Chair M.Ed., LBA\  
Amber Persons-Geer, MSW, LSWAIC, LABA

**Staff members present:** Kendra Pitzler, Program Manager  
James Chaney, Executive Director  
Luke Eaton, Assistant Attorney General (AAG)  
Karen Gohlsen, Program Support  
Jeff Wise, Policy Analyst  
Shari Saucedo, Credentialing Supervisor

**Guest presenters:** None

On June 17, 2022, the Applied Behavior Analysis Advisory Committee met via web conference. Notice of the meeting was published on the [Applied Behavior Analysis profession website](#) and was sent out through the GovDelivery listserv.

**OPEN SESSION:**

**1. Opening of Public Meeting – Nancy Rosenberg, Chair**

- 1.1. Call to Order - The chair called the meeting to order at 10:02 a.m. Ms. Pitzler asked the committee to consider how they would like to conduct meetings for the remainder of 2022. Due to a change in the OPMA, the committee can opt to keep the meetings virtual during a state of emergency if they feel that it would be unsafe to meet in person. In addition, changes to the OPMA require public comment to occur prior to any committee business so that has been moved to item #2 on the agenda moving forward. *Motion to keep meetings virtual for the remainder of 2022, seconded, vote 3-0.*
- 1.2. Introductions - Committee and agency staff members introduced themselves and their area of practice.
- 1.3. Approval of the June 17, 2022 Regular Meeting Agenda: Ms. Pitzler requested adding an item (#10) to the agenda regarding the selection of 2023 meeting dates. *Motion to approve the agenda as amended, seconded, vote 3-0.*
- 1.4. Approval of February 4, 2022 Regular Meeting Minutes: *Motion to approve, seconded, vote 3-0.*
- 1.5. Approval of March 30, 2022 Special Meeting Minutes: *Motion to approve, seconded, vote 3-0.*

**2. Public Comment – Nancy Rosenberg, Chair**

There were two comments from a member of the public. The first comment was asking for clarification regarding supervision disclosure and how often it needs to occur. Ms. Pitzler will look into it further and follow up with the member of the public. The second comment was a concern regarding the proposed change to the frequency in supervision observation of CBTs from every three months to every six weeks and the added burden that will put on supervisors.

**3. ABA Program Statistics**

- 3.1. Credentialing Report – Shari Saucedo, Deputy Credentialing Manager  
Ms. Saucedo briefed the committee on the latest licensing statistics.

License Type	Active	Pending Applications
CBT	3,732	323
LABA	175	49
LBA	1142	30

- 3.2. Disciplinary Statistics - Kendra Pitzler, Program Manager

Ms. Pitzler briefed the committee on the program’s disciplinary statistics for the previous quarter (January - April 2022) and the biennium to-date (July 2021 to April 2022).

### January - April 2022

ABA-Related Cases				
Case Nature	CBT	LABA	LBA	Total
Abandonment	1			1
Abuse/Neglect	2			2
Boundary Violation	1			1
COVID-19 Violation	1			1
Fraud in Obtaining License	2	2		4
Narcotics Violation			1	1
Practice Beyond Scope	1			1
Sexual Misconduct	1			1
Theft	1			1
Violation of Regulations or Rules*			1	1
<b>Grand Total</b>	<b>10</b>	<b>2</b>	<b>2</b>	<b>14</b>

ABA-Related Reviews on Applications				
Case Nature	CBT	LABA	LBA	Total
Criminal Conviction(s)	4	-	1	5
Action in Another State			1	1
<b>Grand Total</b>	<b>4</b>	<b>-</b>	<b>2</b>	<b>6</b>

Unlicensed Cases Related to ABA Professions				
Case Nature	CBT	LABA	LBA	Total
Unlicensed Practice (never had a license)	-	-	-	-
<b>Grand Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

\*Violation of Regulations or Rules includes:

- Complaints that listed "Violation of Regulations or Rules" as Case Nature and "Unprofessional Conduct" as the Case-Alleged Issues.
- Complaints that list numerous violations within the Case Nature and/or Case-Alleged Issues.

Number of Investigations:	
License Type	Number of Investigations Opened
CBT (Abandonment)	1
CBT (Boundary Violation)	1
CBT (Fraud in obtaining license)	1
LABA (Fraud in obtaining license)	1
LBA (Narcotics Violation)	1
LBA (Violation of regulations/rules)	1
<b>Total</b>	<b>6</b>

1 Application Referred to Legal on CBT  
 1 Application Referred to Legal on LABA

### July 2021 - April 2022

ABA-Related Cases				
Case Nature	CBT	LABA	LBA	Total
Abandonment	1			1
Abuse/Neglect	4			4
Boundary Violation	1			1
Communication/Personality	1			1
Confidentiality (Breach)	1	2		3
COVID-19 Violation	2		2	4
False Reports/Falsifying Records	1			1
Fraud in Obtaining License	2	2		4
Narcotics Violation			1	1
Patient Abandonment	1			1
Practice Beyond Scope	1			1
Sexual Misconduct	1		1	2
Standard of Care	1			1
Unable to Practice Safely/Psych or Mental Disorder	1	1		2
Theft	2			2
Violation of Regulations or Rules*	1	1	3	5
<b>Grand Total</b>	<b>21</b>	<b>6</b>	<b>7</b>	<b>34</b>

ABA-Related Reviews on Applications				
Case Nature	CBT	LABA	LBA	Total
Action in another State			1	1
Criminal Conviction on Application	5	1	1	7
Failure to Meet Licensure Requirements	1	-	-	1
<b>Grand Total</b>	<b>6</b>	<b>1</b>	<b>2</b>	<b>9</b>

Unlicensed Cases Related to ABA Professions				
Case Nature	CBT	LABA	LBA	Total
Unlicensed Practice (never had a license)	-	-		
<b>Grand Total</b>	<b>-</b>	<b>-</b>		

\*Violation of regulations or rules includes:

- Complaints that listed "Violation of Regulations or Rules" as Case Nature and "Unprofessional Conduct" as the Case-Alleged Issues.

#### 3.3. Budget Report - Kendra Pitzler, Program Manager

Ms. Pitzler presented the latest budget numbers to the committee. The current fund balance is \$604,871, a fifty percent increase from the beginning balance of the biennium in July 2021.

#### 4. Adult ABA Issues – Kendra Pitzler, Program Manager

Ms. Pitzler provided an update regarding the status of the interpretive statement recommended by the advisory committee at the last meeting. The statement has been drafted and is currently under review by the secretary's office.

## **5. ABA Licensure Rules Update - Kendra Pitzler, Program Manager**

The department has been reviewing organizations who would like their credential accepted toward licensure. At the special meeting held in November 2021, committee members advised the department of health to draft a rule to describe criteria for acceptance of these credentials to be included in [Chapter 246-805 WAC](#). At this meeting, the committee and public were asked to review and provide comment on the draft language regarding nationally accredited professional entities. Once there is a final draft, it will be sent to the public for review and comment.

## **6. Department Request Legislation – James Chaney, Executive Director**

Mr. Chaney asked the committee if there was legislation they were interested in having the Department of Health sponsor. Ms. Rosenberg requested a revision to the RCW to remove the education requirements and move those to the WAC. Mr. Pampino proposed the elimination of the CBT credential. Mr. Chaney has agreed to submit both requests for consideration.

## **7. Executive Director Report – James Chaney, Executive Director**

Mr. Chaney had two updates for the committee. The department is looking at the budget for professions and, given the healthy fund balance for the ABA program, there is a possibility that there could be a licensure fee decrease in the future. He also announced that Shawna Fox is the new director for the Office of Health Professions and Sasha De Leon is the new assistant secretary for the Health Systems Quality Assurance division.

## **8. Program Manager Report – Kendra Pitzler, Program Manager**

Ms. Pitzler provided an update on the implementation of ESSB 5229, which requires all professions to adopt requirements for health equity continuing education (the minimum requirement is two hours every four years). It is expected that CR-102 (filing of draft language) for the model list will happen sometime over the summer, however, the committee will also need to incorporate that requirement into their own rules by January 1, 2024.

## **9. Future Business – Nancy Rosenberg, Chair**

- ESSB 5229 status update (ongoing)
- Rules update (ongoing)

## **10. Meeting Dates for 2023 – Kendra Pitzler, Program Manager**

The committee established the following meeting dates for 2023:

- February 3, 2023
- June 16, 2023
- October 6, 2023

## **11. Adjournment**

The meeting was adjourned at 12:34 p.m.

**Submitted by:**

Kendra Pitzler, Program Manager  
Applied Behavior Analysis Advisory  
Committee

**Approved by:**

Nancy Rosenberg, Chair  
Applied Behavior Analysis Advisory  
Committee

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